

**Memorandum of the Meeting
Regular Study Session
Twenty-Sixth Town Council of Highland
Monday, April 21, 2008**

The regular study session of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting room on Monday, April 21, 2008 at the standing time of 7:00 o'clock p.m.

Roll Call: Mark A. Herak; Brian Novak, Konnie Kuiper, and Bernie Zemen were present. Councilor Dan Vassar was absent owing to a work commitment. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also present:

Ken Mika, Building Commissioner; John M. Bach, Public Works Director; and Rhett L. Tauber, Town Attorney, were also present.

Carolyn Marsh, Karen Slager, Alice Kornblum, and Marcella Ziuzki of the Sand Ridge Audubon Society.

Kenneth Scheeringa of the Scheeringa Family Trust, associated with property at 8913 Kleinman Avenue, Highland was also present.

General Substance of Matters Discussed

1. The Town Council and the Public Works Director discussed the May 12, 2008 hearing regarding the proposal to remove the Water Utility from the jurisdiction of the IURC. Some members of the Town Council suggested the need for an addition briefing and having a member of the Board of Waterworks Directors to be present at the May 12, 2008 hearing.
2. Ms. Carolyn Marsh offered a brief survey of the history of the previous administration as it related to the status of the Great Blue Heron Rookery. The inquiry included seeking the present Town Council's position on the status of the rookery.

The discussion included the impression of the Audubon Society that the Flood Control project has an insalubrious impact upon the Blue Heron Rookery. The discussion included the diverting town trucks from the use of Liable Road to access the site for dumping leaves. Further, there was a suggestion that signage should be placed to identify the site and the care needed. There were concerns expressed about the proposed development of the former River Park Apartments. Finally, the Audubon members expressed the hope that the site have limited to no people direct access. In short, the group expressed its desire to have a committee or someone appointed to work with the Audubon society to protect the rookery.

Councilor Novak requested a tour of the rookery with representatives of the Sand Ridge Audubon Society.

The Town Council discussed whether or not the Town possessed authority to prevent access on the bike trail on the flood levee during the egg/nesting season.

Representatives from the Audubon Society departed at this time, 7:35 o'clock p.m.

3. The Town Council, Ken Scheeringa, as Trustee for the Scheeringa Trust, the Building Commissioner and the Town Council Attorney discussed a request from Mr. Scheeringa to allow addition time for the use restriction and covenant agreement which provided for the end to the "non-conforming use" – the semi-trailer truck parking – upon the death of Ms. Grace Scheeringa, at family property located at 8913 Kleinman Road, Highland. Ms. Scheeringa was recently deceased. Mr. Scheeringa was advised that the use should end

immediately but a timetable of up to May 15 or the end of June of 2008. Mr. Scheeringa expressed his desire that the “non-confirming use and activity” be allowed an extension for a longer period.

The discussion included what the zoning district was and what it would permit. It was noted that the district was B-1 and that the truck parking was not a permitted use or activity.

Councilor Kuiper inquired whether or not the agreement could be modified to permit the activity to continue. Mr. Scheeringa indicated that he believed that the activity of parking trucks may have been going on for a long period of time. Mr. Scheeringa expressed interest in having access to the public water system as well as sanitary sewers. Mr. Scheeringa asked that the agreement be permitted to be extended for such a period until there is a development of some kind, or the Trust sells the property. Mr. Scheeringa suggested that perhaps the extension be granted to the end of 2008 and then each year to be reviewed.

The discussion included whether or not there was any neighborhood concern. It was noted that there was some neighborhood concern expressed about the truck parking. It was noted that there were 16 trucks parked at the site.

It was noted that there have been some calls from persons in the neighborhood, who knowing of the existing agreement, inquired why the trucks were still there.

Mr. Scheeringa departed at this time, 8:01 o'clock p.m.

4. The Town Council and the Public Works Director discussed the next steps for the downtown landscaping project. It was noted that Councilor Vassar was to follow-up with Lee Ann Kerber. The public works director indicated that he may solicit proposals.

The Public Works Director departed at this time, 8:15 o'clock p.m.

5. With leave from the Town Council, Joe Bartok, 9324 Springcreek Drive, Highland was recognized to present his disapproval of the current Moped license at \$100 and to encourage an amendment to the current code, to either eliminate the requirement or modify the fee for persons who may possess a license or who are 21. Mr. Bartok indicated that other communities handle this matter differently from Highland. Mr. Bartok reported that only three mopeds are licensed under our ordinance. The Town Attorney indicated that he would review the state law regulating mopeds and perhaps revisit the current ordinance.

The Town Attorney departed at this time, 8:15 o'clock p.m.

6. The Town Council discussed the tendered offer that the Town Council President made, pursuant to his negotiation with the sellers of the property at 3315 Ridge Road, Highland. The Town Council President represented that he had negotiated a purchase price of \$132,500. He further needed to provide “earnest money” in the amount of \$2,000 within 14 days of the acceptance of the offer. Further the offer was made contingent upon identifying funding. The deadline suggested in the purchase agreement for identifying the funding is until May 19, 2008.

Councilor Kuiper departed at this time, 8:36 o'clock p.m.

7. The Town Council discussed the Kennedy Avenue project and the local match requirement, estimated at approximately \$1.9 million is needed as the local match or this federal aid project. If the \$1.9 million local match represents 20%, the estimated total value of the project is \$9.5 million. The public works director was not present to discuss this matter.

The discussion included the need to have a meeting regarding the road improvement plan for 2008. The discussion included discussing the current quality of patchwork and some road

and line painting on certain roads. It was noted that painting over some of the existing lines still causes peeling.

The Town Council discussed the need to have a site tour of the roads in town.

8. The Town Council discussed the merits of seeking certain cost-cutting measures such as purchasing some parts from a retailer such as auto-zone instead of the current vendor.
9. The Town Council discussed the status of the camera truck, jointly held by the Town of Highland and the Town of Munster. There was hope that the truck would be out photo examining the sewer line infrastructure.
10. The Town Council discussed the prospects of engaging an external study to review turn over in the police department and other departments.

There were no further discussions or any further matters before the Town Council. The regular study session of the Twenty-Sixth Town Council of Highland of **Monday, April 21, 2008** was adjourned at 10:34 o'clock p.m.

Michael W. Griffin, IAMC/CMC/CPFA
Clerk-Treasurer